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OGC Has Reviewed

17 August 1956

MEMORANDUM FOR THE RECORD

SUBJECT: CIA Building--Transfer of Building Site

1. On 2 August 1956 the NCPC approved the transfer to CIA by the National Park Service of the 60-foot strip running through the proposed site. That same afternoon, at the request of Mr. A. M. Edwards, Associate Solicitor of the Department of Interior, Mr. Houston and I met in his office with Edwards and two members of his staff, Edward Anschel and Harry K. Sanders.

2. Edwards had received a call from Roger Fisher, who had expressed the view that this strip had been dedicated as Park property and was not, therefore, available for transfer for this purpose. We presented to Edwards and his staff the view we have consistently maintained, which may be outlined as follows:

a. This strip was not dedicated as park by the 1936 deed under which the Government acquired it.

b. Any easements against the property which may have existed under the 1936 deed were canceled when the Government, in 1940, acquired the balance of the Laiter estate.

c. If there are any doubts on the first two points, these doubts are now resolved by the Congressional authorization and appropriations to the CIA for the construction of a building on the site in question.

3. Edwards accepted our reasoning, although he seemed most impressed by point C. After we had talked for about an hour he had Fisher come in and we spoke together for another hour. Fisher added nothing new to his arguments. He indicated that someone sufficiently close to or interested in this 60-foot strip to qualify as a proper party in interest might well bring a suit if Interior persisted in the transfer and CIA persisted in the construction. It was the general opinion of the Interior and CIA lawyers, expressed to Fisher, that such a suit could not be successfully maintained.

4. After Fisher had left, Edwards indicated that nothing Fisher had stated changed his views, and he believed we should proceed with the transfer as planned. He commented that the Secretary of Interior is expected to return to town about 14 or 15 August.

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Assistant General Counsel

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